



US Army Corps  
of Engineers  
Portland District

# PUBLIC NOTICE

## for PERMIT APPLICATION

Issue Date: March 24, 2003

Expiration Date: April 21, 2003

Corps of Engineers Action ID: 200300015

Oregon Division of State Lands Number: 26469

30 Day Notice

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### REVISION 1

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan. This public notice supersedes the public notice dated March 24, 2003.

Note: An \* indicates a change.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision.

Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
ATTN: CENWP-OP-GP (Ms. Karla G Ellis)  
P.O. Box 2946  
Portland, Oregon 97208-2946

**Applicant:** Mr. Darryl Fitzwater, Deschutes State Recreation Area, Oregon Parks and Recreation Department, 89600 Biggs Rufus Hwy, Wasco, Oregon 97065

**Location:** West bank of the Deschutes River, south of Biggs Rufus Highway, at Heritage Landing Boat Ramp at the mouth of the Deschutes River, River Mile 0.1, 12 Miles east of The Dalles, in Section 26, Township 2 North, Range 15 East, Wasco County, Oregon.

**Project Description:** The applicant proposes to remove accumulated sediment from an existing boat ramp and existing sand bar. Removal would involve the following parts:

- 1) Silt would be removed twice yearly (February 1<sup>st</sup>- March 15<sup>th</sup>, and in the month of August) from the boat ramp using a front-end loader. Excavated material would then be loaded into a truck and deposited along the bank, above ordinary high water.
- 2) A Spider hoe would be used once every two years (February 1<sup>st</sup>-March 15<sup>th</sup>) to remove an adjacent downstream accumulated sand bar, excavated material will be deposited along the bank, above ordinary high water.
- 3) Approximately 5 cubic yards of material will be removed twice yearly from the existing boat ramp. An additional 27 cubic yards of material will be removed once every two years at the sand bar location. Approximately 235 cubic yards of material would be removed over the ten-year life of the permit.

**NOTES:**

- a) The Oregon Department of Fish and Wildlife has granted a variance to its preferred in-water work window for the proposed project.
- b) Work would be accomplished on the boat ramp with only the bucket in contact with the water.

**Purpose:** To remove accumulated sediment to make the area useable for recreational boats.

**Drawings:** Figure 1, Site Vicinity  
Figure 2, Site Location  
Figure 3, Work Area Location  
Figure 4-5, Cross-sectional Views  
Figure 6-7, Photographs showing work areas.  
Figure 8, Overview of the area.

**Additional Information:** Additional information may be obtained from Ms. Karla G. Ellis, Project Manager, U.S. Army Corps of Engineers at (503) 808-4377.

**Authority:** This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

\* Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**\*Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

**Cultural Resources:** The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest.

That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.